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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/997,464	11/29/2001	Koji Maekawa	34196	6170

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EXAMINER	
SENFI, BEHROOZ M	

ART UNIT	PAPER NUMBER
2613	5

DATE MAILED: 11/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/997,464	MAEKAWA ET AL.	
	Examiner	Art Unit	
	Behrooz Senfi	2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-82 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-82 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

Specification

1. Claims 1 – 82 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The specification never describes how to make and/or use the image-synthesizing unit. The only phrase ever used to describe it is functional and usage. Where in the spec is the function of the image-synthesizing unit described in clear and concise language? Where in the spec is an example of its function? It currently is described as a switch.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1 – 22, 34 – 63 and 75 - 82 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujiyama et al. (US 6,678,286) in view of Seeley et al. (US 6,091,771).

Regarding claims 1, 42 and 75 - 76, Fujiyama '286 teaches, "an image transmitting and receiving system" (i.e. figs. 2 and 11, image transmitter and receiver), and "a plurality of data transmission means each for transmitting one or more transmission data portions ....." (i.e. figs. 2 and 11, transmission lines), and "one or more data receiving means ....." (i.e. figs. 2 and 11, receiving apparatus 51/1 – 51/m),

and data transmission means each including: "a plurality of camera units ....." (i.e. fig. 2, cameras 41/1 – 41/n), and "an image inputting unit operatively connected with the camera units for operating one or more camera units ....." (i.e. fig. 4, video input 1 – n and 41(g)), and "a compressing and encoding unit for compressing and encoding the moving image ....." (i.e. fig. 11, encoder 1(b)), and " one or more data transmitting units ....." (i.e. fig. 11, 1(c)), and "a transmission line connection control unit for inputting one or more transmission data portion generated by the one or more data transmitting units ....., and a transmission control unit for controlling the image inputting unit ....." (i.e. figs. 11 and 13, control units 6 and 17, and fig. 4, 41n), and the receiving means each including: "a receiving line connection control unit ....." (i.e. fig. 10, control unit 51i), and "one or more data receiving units ....." (i.e. fig. 11, receivers 2/1 – 2/m), and "one or more decompress/decoding units ....." (i.e. fig. 12, 15/1 – 15/n), and "a data output unit for outputting the moving image signal ....." (i.e. figs. 2 and 11), and "a monitoring unit having a screen for displaying one moving picture ....." (i.e. fig. 2, monitors 1 – m), and "instruction and operation request ....." (i.e. col. 8, lines 65 – 67). Although Fujiyama (i.e. fig. 4) shows SEL (41g) for receiving plurality of video and passing through the image signal under instruction of control unit from the center, but fails to explicitly teach in detail synthesizing the images. However, based on the above explanation with respect to (i.e. fig. 4, SEL (41g) unit and col. 7, lines 8 – 12) the SEL 41g could be used for synthesizing the input images if needed based on the instruction from the center. Furthermore Seeley '771 teaches, ability to display up to sixteen compressed frames of video (i.e. fig. 10, display 602/602b, col. 10, lines 30 – 54) received from cameras,

therefore it would make the limitation "synthesizing" obvious to one skilled in the art, for the benefit of capability to view a composite image of portions of interest received from plurality of the video cameras on the display.

Regarding claims 2, 36 and 77, the limitations claimed are substantially similar to claim 1, therefore the ground for rejecting claim 1 also applies here. Furthermore as for the additional limitation "sound/audio collection unit for collecting sounds ....." please see (fig. 3, mic/speaker 52 and 53 and 54 of Seeley).

Regarding claim 3, combination of Fujiyama '286 and Seeley '771 teach, "camera positioned at a predetermined position" (i.e. col. 1, lines 16 – 25 of Fujiyama) and "predetermined shutter speed" is well known in the prior art of the record. Official notice.

Regarding claim 4, combination of Fujiyama '286 and Seeley '771 teach, "camera switching" (i.e. fig. 4, 41(g) of Fujiyama) and "analog to digital converter" (fig. 4, 41(h)) and "memeory buffer for temporally storing" (i.e. fig. 4, 41(j)).

Regarding claims 5 – 8, combination of Fujiyama '286 and Seeley '771 teach, transmission data from the plurality of transmitter to the respective one or more receiver through network (col. 1, lines 17 – 20 of Fujiyama), therefore the address information would be necessitated for the proper communication and meets the limitation as claimed.

Regarding claims 9 - 11, combination of Fujiyama '286 and Seeley '771 teach, "receiving means includes a configuration control unit having a storage (memory) and

switching one data transmission to another data transmission means" (fig. 10, 51(f) and 51(i) Fujiyama).

Regarding claims 12 - 14, combination of Fujiyama '286 and Seeley '771 teach, "image transmission and receiving system, wherein data receiving means is operative to receive one or more transmission data portions transmitted by another data transmission means" (I.e. fig. 12, col. 2, lines 28+ of Fujiyama).

Regarding claims 15 - 16, combination of Fujiyama '286 and Seeley '771 teach, "H.261 ITU standard" (i.e. col. 8, lines 57 – 60 of Seeley), and "MPEG-2 standard in claim 16" (fig. 6 of Fujiyama).

Regarding claim 17, the limitation "encoding unit to compress and encode moving image in conformance with JPEG or JPEG 2000" are well known and uised in the prior art of the record. Official notice

Regarding claims 18 – 19, 39 – 41 and 79 - 82, combination of Fujiyama '286 and Seeley '771 teach, "data transmission means further includes a recording unit for temporally storing coded moving image signal and coded sound signal data and time information ....." (i.e. fig. 2 of Fujiyama, shows cameras and image transmitting apparatus (consider as recording unit), which records the moving images and sound and transmitted through network, and fig. 7, shows that the separator 51(d) separates the data, sound and etc., also unit 51(j) shows the timing information".

Regarding claims 20 - 22, the limitations "image transmitting and receiving system in which operation unit is operative to input a synthesizing operation ....." has been discussed earlier with respect to claim 1.

Regarding claims 34 – 35, 37 – 38 and 78, the limitations claimed are substantially similar to claim 1, therefore the ground for rejecting claim 1 also applies here.

Regarding claims 43 – 63, claims 43 - 63 are the method claims of the system claims 2 – 22, therefore the ground for rejecting system claims 2 – 22 are also applies for method claims 43 – 63.

4. Claims 23 – 33 and 64 – 74 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujiyama et al. (US 6,678,286) in view of Seeley et al. (US 6,091,771) and further in view of Hite et al (US 6,763,040).

Regarding claim 23, combination of Fujiyama '286 and Seeley '771 teach, image transmitting and receiving and controlling system for transmission data from plurality of data transmission units to respective one or more data receiving and unit through network, as discussed earlier. Combination of Fujiyama '286 and Seeley '771 fails to explicitly teach, "appliance control data communication through network". However such features are well known and used in the prior art of the record, as evidenced by Hite '040 (i.e. fig. 1, col. 1, lines 15 – 25 and col. 3, lines 33 – 65). Therefore it would have been obvious to one skilled in the art at the time of the invention was made to modify the network control system of combination of Fujiyama and Seeley, as taught by Hite '040 for the purpose of controlling the network appliances and checking/displaying the status of the appliances.

Regarding claims 24 – 27, the limitations claimed are substantially similar to claim 23, therefore the ground for rejecting claim 23 also applies here.

Regarding claim 28 – 33, combination of Fujiyama '286 and Seeley '771 and Hite '040 teach, "input an external appliance operation instruction" (i.e. col. 3, lines 25 – 31 of Hite).

Regarding claims 64 - 74, claims 64 - 74 are the method claims of the system claims 23 – 33, therefore the ground for rejecting system claims 23 – 33 are also applies for method claims 64 – 74.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Behrooz Senfi** whose telephone number is **(703)305-0132.**

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Chris Kelley** can be reached on **(703)305-4856.**

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

(703) 872-9314

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relative to the status of the application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

B. S. B. Pr.

10/29/2004

CHRIS KELLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600